

There will be one from each side who will be presiding and will actually make determinations when objections are made.

ADJOURNMENT

Mr. LOTT. I now ask unanimous consent that the Court of Impeachment stand in adjournment until the hour of 1 p.m. on Thursday, February 4.

The motion was agreed to; and at 6:34 p.m. the Senate, sitting as a Court of Impeachment, adjourned until Thursday, February 4, 1999, at 1 p.m.

LEGISLATIVE SESSION

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the Senator from Alaska (Mr. MURKOWSKI) as Chairman of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 106th Congress.

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the Senator from Georgia (Mr. COVERDELL) as the Chairman of the Senate Delegation to the Mexico-U.S. Interparliamentary Union during the 106th Congress.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, in consultation with the ranking member of the Senate Committee on Finance, pursuant to Public Law 105-277, appoints the following individuals to the Trade Deficit Review Commission: Dimitri B. Papadimitriou of New York, C. Richard D'Amato of Maryland, and Lester C. Thurow of Massachusetts.

The Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic leader, pursuant to Public Law 105-292, appoints the Most Reverend Theodore E. McCarrick, Archbishop of Newark, New Jersey, to the Commission on International Religious Freedom.

The Chair, on behalf of the President pro tempore, and upon the recommendations of the majority leader, pursuant to 22 U.S.C. 2761, as amended,

appoints the Senator from Alaska (Mr. STEVENS) as Chairman of the Senate Delegation to the British-American Interparliamentary Group during the 106th Congress.

APPOINTMENTS BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 105-244, announces the appointment of the following individuals to serve as members of the Web-Based Education Commission: Patti S. Abraham, of Mississippi and George Bailey, of Montana.

The Chair, on behalf of the majority leader, pursuant to Public Law 105-277, announces the appointment of the following individuals to serve as members of the Commission on Online Child Protection:

Arthur Derosier, Jr., of Montana—Representative of academia with expertise in the field of technology;

Albert F. Ganier III, of Tennessee—Representative of a business providing Internet filtering or blocking services or software;

Donna Rice Hughes, of Virginia—Representative of a business making content available over the Internet;

C. Bradley Keirnes, of Colorado—Representative of a business providing Internet access services; and

Karen L. Talbert, of Texas—Representative of a business providing labeling or ratings services.

The Chair, on behalf of the majority leader, pursuant to Public Law 105-277, announces the appointment of Manuel H. Johnson, of Virginia, to serve as a member of the International Financial Institution Advisory Commission.

APPOINTMENTS BY THE DEMOCRATIC LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to Public Law 105-277, announces the appointment of the following individuals to serve as members of the National Commission on Terrorism: Richard Kevin Betts of New Jersey and Maurice Sonnenberg of New York.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1087. A communication from the Administrator of the Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "RUS Fidelity and Insurance Requirements for Electric and Telecommunications Borrowers" (RIN0572-AA86) received on January 14, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1088. A communication from the Deputy Executive Director of the U.S. Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Records and Information; Open Commission Meetings" received on January 14, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1089. A communication from the Deputy Executive Director of the U.S. Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Temporary Licenses for Associated Persons, Floor Brokers, Floor Traders and Guaranteed Introducing Brokers" received on January 14, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1090. A communication from the Deputy Executive Director of the U.S. Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Voting by Interested Members of Self-Regulatory Organization Governing Boards and Committees" received on January 14, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1091. A communication from the Director of the Congressional Budget Office, transmitting, pursuant to law, the Office's report entitled "Unauthorized Appropriations and Expiring Authorizations" dated January 8, 1999; to the Committee on Appropriations.

EC-1092. A communication from the Secretary of Defense, transmitting, notice of a routine military retirement in the Air Force; to the Committee on Armed Services.

EC-1093. A communication from the Secretary of the Air Force, transmitting, pursuant to law, notice of a cost comparison of the Educational and Training functions at Robins Air Force Base, Georgia; to the Committee on Armed Services.

EC-1094. A communication from the Secretary of the Air Force, transmitting, pursuant to law, notice of a cost comparison of the Base Training and Education functions at 18 Air Combat Command Bases; to the Committee on Armed Services.

EC-1095. A communication from the Principal Deputy Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, the Department's annual report on the National Defense Stockpile for fiscal year 1998; to the Committee on Armed Services.

EC-1096. A communication from the Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Exports of High Performance Computers under License Exception CTP" (RIN0694-AB82) received on January 12, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1097. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Organization and Operations of Federal Credit Unions" received on January 11, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1098. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Organization and Operations of Federal Credit Unions" received on January 11, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1099. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled "Magnuson Act Provisions; Foreign Fishing; Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures" (I.D. 212498A) received on January 11, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1100. A communication from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Revision to the NASA FAR Supplement Coverage on Information to the Internal Revenue Service" received on January 11, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1101. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Yellowfin Sole Fishery by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands" (I.D. 113098A) received on January 8, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1102. A communication from the Administrator of the Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the Administration's report on Civil Aviation Security Responsibilities and Funding; to the Committee on Commerce, Science, and Transportation.

EC-1103. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Nationality Procedures—Amendment to Report of Birth Regulation Passport Procedures—Amendment to Revocation or Restriction of Passports Regulation" received on January 14, 1999; to the Committee on Foreign Relations.

EC-1104. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Corps' report on environmental activities for 1997; to the Committee on Foreign Relations.

EC-1105. A communication from the Chairman of the National Capital Planning Commission, transmitting, pursuant to law, the Commission's consolidated annual report under the Inspector General Act and the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1106. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Finalizing Without Change the Interim Regulations that Added Visa Waiver Pilot Program Countries" (RIN115-AB93) received on January 8, 1998; to the Committee on the Judiciary.

EC-1107. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's report on mechanisms for surveying and certifying renal dialysis facilities for compliance with the Medicare conditions and certain requirements of the Social Security Act; to the Committee on Finance.

EC-1108. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rulings and Determination Letters" (Rev. Proc. 99-7) received on January 5, 1999; to the Committee on Finance.

EC-1109. A communication from the Chief of the Regulations Unit, Internal Revenue

Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Retention of Income Tax Return Preparers' Signatures" (RIN 1545-AW83) received on January 5, 1999; to the Committee on Finance.

EC-1110. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rulings and Determination Letters" (Rev. Proc. 99-4) received on January 5, 1999; to the Committee on Finance.

EC-1111. A communication from the Acting Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Direct Food Substances Affirmed as Generally Recognized as Safe; Magnesium Hydroxide; Technical Amendment" (Docket 78N-0281) received on January 8, 1998; to the Committee on Health, Education, Labor, and Pensions.

EC-1112. A communication from the Acting Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers" (Docket 97F-0504) received on January 8, 1998; to the Committee on Health, Education, Labor, and Pensions.

EC-1113. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Exemptions From Premarket Notification; Class II Devices" (Docket 98P-0506) received on January 14, 1998; to the Committee on Health, Education, Labor, and Pensions.

EC-1114. A communication from the Director of the Office of Regulatory Management and Information, transmitting, pursuant to law, the report of a rule entitled "Utah: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL6217-7) received on January 6, 1999; to the Committee on Environment and Public Works.

EC-1115. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of two rules entitled "FY 1999 MBE/WBE Terms and Conditions" and "Modification of the Ozone Monitoring Season for Washington and Oregon" (FRL6220-3) received on January 14, 1999; to the Committee on Environment and Public Works.

EC-1116. A communication from the Chairman of the Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the Commission's annual report under the Government in the Sunshine Act for calendar year 1998; to the Committee on Governmental Affairs.

EC-1117. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, the Agency's report under the Inspector General Act for the period from April 1, 1998 through September 30, 1998; to the Committee on Governmental Affairs.

EC-1118. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the Administration's report under the Inspector General Act for the period from April 1, 1998 through September 30, 1998; to the Committee on Governmental Affairs.

EC-1119. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Office's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1120. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Office's annual report under the Federal Equal Opportunity Recruitment Program for fiscal year 1997; to the Committee on Governmental Affairs.

EC-1121. A communication from the Executive Director of the Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, a list of additions to and deletions from the Committee's Procurement List dated January 5, 1999; to the Committee on Governmental Affairs.

EC-1122. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1123. A communication from the Secretary of the Postal Rate Commission, transmitting, pursuant to law, the Commission's annual report under the Government in the Sunshine Act for calendar year 1998; to the Committee on Governmental Affairs.

EC-1124. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Office's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1125. A communication from the Attorney General, Department of Justice, transmitting, pursuant to law, the Department's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1126. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Department's report under the Inspector General Act for the period from April 1, 1998 through September 30, 1998; to the Committee on Governmental Affairs.

EC-1127. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Commission's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1128. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the Commission's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1129. A communication from the Administrator of the Panama Canal Commission, transmitting, pursuant to law, the Commission's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1130. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1131. A communication from the Chairwoman of Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-1132. A communication from the Members of the Centennial of Flight Commission, transmitting, a report on Constitutional and ethical issues relative to the Centennial of Flight Commemoration Act; to the Committee on Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DORGAN (for himself and Mr. HAGEL):

S. 317. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence; to the Committee on Finance.

By Mr. INOUE:

S. 318. A bill to amend the Immigration and Nationality Act to facilitate the immigration to the United States of certain aliens born in the Philippines or Japan who were fathered by United States citizens; to the Committee on the Judiciary.

By Mr. LAUTENBERG:

S. 319. A bill to provide for childproof handguns, and for other purposes; to the Committee on the Judiciary.

By Mr. FEINGOLD:

S. 320. A bill to amend the Reclamation Reform Act of 1982 to clarify the acreage limitations and incorporate a means test for certain farm operations, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAIG:

S. 321. A bill to streamline, modernize, and enhance the authority of the Secretary of Agriculture relating to plant protection and quarantine, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CAMPBELL (for himself and Mr. BROWNBACK):

S. 322. A bill to amend title 4, United States Code, to add the Martin Luther King Jr. holiday to the list of days on which the flag should especially be displayed; to the Committee on the Judiciary.

By Mr. CAMPBELL:

S. 323. A bill to redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. LEVIN, and Mr. MOYNIHAN):

S. 324. A bill to amend the Controlled Substances Act with respect to registration requirements for practitioners who dispense narcotic drugs in schedule IV or V for maintenance treatment or detoxification treatment; to the Committee on the Judiciary.

By Mrs. HUTCHISON (for herself, Mr. DOMENICI, Mr. NICKLES, Mr. MURKOWSKI, Mr. BINGAMAN, Mr. BREAUX, Mr. BROWNBACK, Mr. COCHRAN, Mr. CONRAD, Mr. ENZI, Mr. GRAMM, Mr. INHOFE, Ms. LANDRIEU, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. STEVENS, Mr. THOMAS, Mr. BURNS, and Mr. LOTT):

S. 325. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage production of oil and gas within the United States, and for other purposes; to the Committee on Finance.

By Mr. JEFFORDS (for himself, Mr. FRIST, Mr. DEWINE, Mr. ENZI, Mr.

HUTCHINSON, Ms. COLLINS, Mr. BROWNBACK, Mr. HAGEL, and Mr. SESSIONS):

S. 326. A bill to improve the access and choice of patients to quality, affordable health care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HAGEL (for himself, Mr. DODD, Mr. DORGAN, Mr. GRAMS, Mr. HARKIN, Mr. LUGAR, Mr. ROBERTS, and Mr. WARNER):

S. 327. A bill to exempt agricultural products, medicines, and medical products from U.S. economic sanctions; to the Committee on Foreign Relations.

By Mr. SMITH of New Hampshire:

S. 328. A bill to make permanent the moratorium on the imposition of taxes on the Internet; to the Committee on Commerce, Science, and Transportation.

By Mr. ROBB:

S. 329. A bill to amend title, United States Code, to extend eligibility for hospital care and medical services under chapter 17 of that title to veterans who have been awarded the Purple Heart, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. AKAKA (for himself, Mr. LOTT, Ms. LANDRIEU, Mr. CRAIG, and Mr. GRAHAM):

S. 330. A bill to promote the research, identification, assessment, exploration, and development of methane hydrate resources, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. ROTH, Mr. MOYNIHAN, Mr. CHAFEE, Mr. GRASSLEY, Mr. HATCH, Mr. MURKOWSKI, Mr. BREAUX, Mr. GRAHAM, Mr. KERREY, Mr. ROBB, Mr. ROCKEFELLER, Mr. BINGAMAN, Mrs. BOXER, Mr. CLELAND, Ms. COLLINS, Mr. DASCHLE, Mr. DEWINE, Mr. DODD, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. GRAMS, Mr. HARKIN, Mr. HOLLINGS, Mr. HUTCHINSON, Mr. INOUE, Mr. JOHNSON, Mr. KERRY, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. SARBANES, Ms. SNOWE, Mr. STEVENS, Mr. TORRICELLI, and Mr. WELLSTONE):

S. 331. A bill to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes; to the Committee on Finance.

By Mr. BROWNBACK (for himself, Mr. SMITH of Oregon, Mr. ROBB, and Mr. LUGAR):

S. 332. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kyrgyzstan; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT:

S. Res. 30. A resolution relative to the procedures concerning the Articles of Impeachment against William Jefferson Clinton; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DORGAN (for himself and Mr. HAGEL):

S. 317. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence, to the Committee on Finance.

CAPITAL GAINS TAX FAIRNESS FOR FAMILY FARMERS

• Mr. DORGAN. Mr. President, today Senator HAGEL of Nebraska and I rise to introduce a bill to correct a fundamental flaw and inequity in the tax code that we need to fix immediately. This legislation is identical to a bill that I authored in the last Congress.

Too often, family farmers are not able to take full advantage of the \$500,000 capital gains tax break that city folks get when they sell their homes. Today, this inequity is particularly onerous for thousands of family farmers who are being forced to sell their farms due to depressed commodity prices, crop disease and failed federal farm policies. Once family farmers have been beaten down and forced to sell the farm they've farmed for generations, they get a rude awakening. Many of them discover, as they leave the farm, that Uncle Sam is waiting for them at the end of the lane with a big tax bill.

One of the most popular provisions included in the major tax bill in 1997 permits families to exclude from federal income tax up to \$500,000 of gain from the sale of their principal residences. That's a good deal, especially for most urban and suburban dwellers who have spent many years paying for their houses, and who regard their houses as both a home and a retirement account. For many middle income families, their home is their major financial asset, an asset the family can draw on for retirement. House prices in major growth markets such as Washington, D.C., New York, or California may start at hundreds of thousands of dollars. As a result, the urban dwellers who have owned their homes through many years of appreciation can often benefit from a large portion of this new \$500,000 capital gains tax exclusion. Unfortunately this provision, as currently applied, is virtually useless to family farmers.

For farm families, their farm is their major financial asset. Unfortunately, family farmers under current law receive little or no benefit from the new \$500,000 exclusion because the IRS separates the value of their homes from the value of the land the homes sit on. As people from my state of North Dakota know, houses out on the farmsteads of rural America are more commonly sold for \$5,000 to \$40,000. Most farmers plow any profits they make into the whole farm rather than into a house that will hold little or no value when the farm is